

DEC 28 2007

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VIRGIL LEE BLACK,

Defendant - Appellant.

No. 06-10578

D.C. No. CR-04-00566-JAT

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the District of Arizona  
James A. Teilborg, District Judge, Presiding

Submitted December 3, 2007<sup>\*\*</sup>

Before: GOODWIN, WALLACE and FISHER, Circuit Judges.

Virgil Lee Black appeals from the sentence imposed following his guilty-plea conviction for simple assault on a child under sixteen, in violation of 18

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

U.S.C. §§ 113(a)(5) and 1153. Black contends that the district court improperly imposed a condition of probation requiring him to register as a sex offender.

We dismiss in light of the valid appeal waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000).

**DISMISSED.**